

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. S1-4:09CR00540HEA (AGF)
)	
KYLE MARRUFO,)	
)	
Defendant.)	

ORDER AND SPEEDY TRIAL FINDING

This matter is before the Court on Defendant's Motion for continuance of pretrial motion hearing and extension of time within which to file motions [Doc. #31], filed on March 15, 2010. For good cause shown,

IT IS HEREBY ORDERED that Defendant's Motion for continuance of pretrial motion hearing and extension of time within which to file motions [Doc. #31] is **GRANTED**. Defendant shall have to and including **March 29, 2010** to file any pretrial motions or waiver of motions. The government shall have until **April 5, 2010** to respond.

IT IS FURTHER ORDERED that the pretrial evidentiary hearing presently set for March 25, 2010, is continued and rescheduled for **Friday, April 9, 2010, at 10:30 a.m.** Counsel for both parties and Defendant Kyle Marrufo, himself, are required to attend.

Speedy Trial Finding: For the reasons set out in Defendant's motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary to complete a mental health evaluation of

Defendant to determine whether Defendant is competent, and for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial. Therefore, the time granted to Defendant to investigate and prepare pretrial motions, or a waiver thereof, and the time from March 15, 2010 until the Court determines Defendant's competency to stand trial is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1), 3161(h)(1)(A), and 3161(h)(7).


AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 16th day of March, 2010.